

Feb 12, 2019

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DANIELA C.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 4:18-cv-05122-SMJ

**ORDER GRANTING
STIPULATED MOTION FOR
REMAND**

Before the Court, without oral argument, is the parties' Stipulated Motion for Remand, ECF No. 14. Having reviewed the stipulated pleading and the file in this matter, the Court is fully informed and grants the motion.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 14**, is **GRANTED**.
2. The above-captioned case shall be **REVERSED** and **REMANDED** for further administrative proceedings including a *de novo* hearing pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council will remand the case to an administrative law judge ("ALJ"), who shall update the medical records, offer Plaintiff an

1 opportunity for a new hearing, and issue a new decision. The ALJ shall
2 also:

- 3 A. Reevaluate the opinion evidence of record;
- 4 B. Reevaluate Plaintiff's residual functional capacity; and
- 5 C. If warranted, obtain supplemental vocational expert evidence to
6 clarify the effects of the assessed limitations on Plaintiff's
7 ability to perform other work in the national economy.


8 3. The Clerk's Office is **DIRECTED** to **DENY AS MOOT** Plaintiff's
9 Motion for Summary Judgment, **ECF No. 10**.

10 4. The Clerk's Office is **DIRECTED** to **ENTER JUDGMENT** for
11 Plaintiff.

12 5. The parties agree that reasonable attorney fees should be awarded
13 under the Equal Access to Justice Act, 28 U.S.C. § 2412, upon proper
14 request to the Court. Plaintiff shall file such motion, if any, no later
15 than **March 12, 2019**.

16 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
17 provide copies to all counsel.

18 **DATED** this 12th day of February 2019.

19 
20 SALVADOR MENDOZA, JR.
United States District Judge